

UNITED STATES BANKRUPTCY COURT
District of New Jersey

IN RE: **Suleiman Adileh**
Maha Adileh

Case No.: **15-23935**
Judge: **RG**

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

☐ Original
☒ Motions Included

☐ Modified/Notice Required
☐ Modified/No Notice Required

Date: 11/11/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☒ DOES ☐ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney DLS Initial Debtor: S A Initial Co-Debtor M A

Part 1: Payment and Length of Plan

a. The debtor shall pay 407.50 Monthly to the Chapter 13 Trustee, starting on November 1, 2017 for approximately 33 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings
☒ Other sources of funding (describe source, amount and date when funds are available):
 \$10,312.50 already paid into plan.

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
 Description:
 Proposed date for completion: _____

☐ Refinance of real property:
 Description:
 Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:
 Description:
 Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

☒ NONE

a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$ ____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Scura, Wigfield, Heyer, Stevens & Cammarota, LLP	Administrative	Amount to be determined by further application to the court
North Bergen MUA		8,036.09
New Jersey Division of Taxation	State income tax	1,263.40
Internal Revenue Service	Federal income tax	1,996.04

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
 Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506: ☒ **NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
Chrysler Financial	424 John Street Saddle Brook, NJ 07663	3,498.96	449,999.00	593,639.00	No value	0.00	0.00
Pnc Bank, N.a.	424 John Street Saddle Brook, NJ 07663	82,785.00	449,999.00	Nationstar Mortgage LI - 510,854.00	No value	0.00	0.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Creditor

Nationstar Mortgage - mortgage on residence

g. Secured Claims to be Paid in Full Through the Plan ☒ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
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Part 5: Unsecured Claims ☐ NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

☐ Not less than \$___ to be distributed *pro rata*

☐ Not less than ___ percent

☒ *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases ☐ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
Karina Gonzalez	0.00	Rental lease	Assumed	n/a
Aide Salazar	0.00	Rental lease	Assumed	n/a
Frederick Lord	0.00	Rental lease	Assumed	n/a
Edwin Diaz	0.00	Rental lease	Assumed	n/a
Christian Rivas Saruia	0.00	Rental lease	Assumed	n/a
Mabille Carmen	0.0	Rental lease	Assumed	n/a
Tiffany Menter	0.00	Rental lease	Assumed	n/a
Jose A. Mendez	0.00	Rental lease	Assumed	n/a

*Real estate is owned by LLC. Debtor entered into leases in personal capacity.

Part 7: Motions ☐ **NONE**

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ☒ **NONE**
The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐
NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
Chrysler Financial	424 John Street Saddle Brook, NJ 07663	3,498.96	449,999.00	593,639.00	0.00	ALL
Pnc Bank, N.a.	424 John Street Saddle Brook, NJ 07663	82,785.00	449,999.00	Nationstar Mortgage LI - 510,854.00	0.00	ALL

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-					

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or

coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ **NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 3/21/2016

Explain below **why** the plan is being modified:

To treat mortgage with Nationstar as unaffected as the Debtors have entered into a loan modification, which has been court approved.

Explain below **how** the plan is being modified:

Nationstar added to Part 4, section f.

Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes

☐ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date November 10, 2017

/s/ David L. Stevens

David L. Stevens

Date: November 10, 2017

Attorney for the Debtor

/s/ Suleiman Adileh

Suleiman Adileh

Debtor

Date: November 10, 2017

/s/ Maha Adileh

Maha Adileh

Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s) if any, must sign this Plan.

Date November 10, 2017 /s/ David L. Stevens
David L. Stevens
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: November 10, 2017 /s/ Suleiman Adileh
Suleiman Adileh
Debtor

Date: November 10, 2017 /s/ Maha Adileh
Maha Adileh
Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Suleiman Adileh
 Maha Adileh
 Debtors

Case No. 15-23935-SLM
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 29

Date Rcvd: Nov 15, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2017.

db/jdb +Suleiman Adileh, Maha Adileh, 424 John Street, Saddle Brook, NJ 07663-5243
 cr +Bryan Fairman, ALDRIDGE PITE, LLP, 4375 Jutland Drive, Suite 200, P.O. Box 17933, San Diego, CA 92177-7921
 cr +JPMorgan Chase Bank, N.A., c/o Maselli Warren, PC, 600 Alexander Road, Suite 3-4A, Princeton, NJ 08540-6018
 cr +NATIONSTAR MORTGAGE, LLC, P. O. Box 9013, Addison, TX 75001-9013
 cr +Nationstar Mortgage LLC as servicer for U.S. Bank,, C/O Buckley Madole, P.C., 99 Wood Avenue South, Suite 803, Iselin, NJ 08830-2713
 cr +Nationstar Mortgage LLC, as servicer for U.S. Bank, P. O. Box 9013, Addison, TX 75001-9013
 515640632 214-68th Street, LLC, 424 John Street, Saddlebrook, NJ 07663-5243
 515640634 +Ar Resources Inc, 1777 Sentry Pkwy W, Blue Bell, PA 19422-2206
 515640635 +Chase, Commercial Term Lending, PO Box 650528, Dallas, TX 75265-0528
 515640636 +Chrysler Fin, 27777 Franklin Rd, Farmington Hills, MI 48334
 515640638 +Dsnb Macys, 9111 Duke Blvd, Mason, OH 45040-8999
 515640639 +Eastern Revenue Inc, Po Box 185, Southeastern, PA 19399-0185
 515640640 +Fed Loan Serv, Po Box 60610, Harrisburg, PA 17106-0610
 515640642 +Lyons, Doughty & Veldhuis, P.C., 136 Gaither Drive, Ste. 100, Mt. Laurel, NJ 08054-2239
 515640643 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
 (address filed with court: Nationstar Mortgage Ll, 350 Highland Dr, Lewisville, TX 75067)
 515640644 New Jersey Attorney General Office, Richard J. Hughes Justice Complex, 25 Market Street, PO Box 112, Trenton, NJ 08625-0112
 515640645 +New Jersey Division of Taxation, 50 Barrack Street 9th Floor, P.O. Box 245, Trenton, NJ 08602-0245
 515640646 +North Bergen MUA, 6200 Tonnelles Ave., North Bergen, NJ 07047-3312
 515644472 +PNC BANK N.A., PO BOX 94982, CLEVELAND, OH 44101-4982
 515640647 +Pnc Bank, N.a., 1 Financial Pkwy, Kalamazoo, MI 49009-8002
 515743794 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245, TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Division of Taxation, P.O. Box 245, Trenton, NJ 08695-0245)
 515784345 +U.S. Bank National Association, Nationstar Mortgage LLC, PO Box 619096, Dallas TX 75261-9096
 515815308 U.S. Department of Education, C/O FedLoan Servicing, P.O.Box 69184, Harrisburg,PA 17106-9184

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Nov 15 2017 23:09:39 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Nov 15 2017 23:09:37 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 515640633 +E-mail/Text: bky@americanprofit.net Nov 15 2017 23:09:54 American Profit Recove, 34405 W 12 Mile Rd Ste 3, Farmington Hills, MI 48331-5608
 515650603 E-mail/Text: mrdiscen@discover.com Nov 15 2017 23:08:51 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 515640637 +E-mail/Text: mrdiscen@discover.com Nov 15 2017 23:08:51 Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
 515640641 E-mail/Text: cio.bncmail@irs.gov Nov 15 2017 23:09:08 Internal Revenue Service, PO Box 7346, Centralized Insolvency Unit, Philadelphia, PA 19101-7346

TOTAL: 6

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 17, 2017

Signature: /s/Joseph Speetjens

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 29

Date Rcvd: Nov 15, 2017

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 11, 2017 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-12N bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Charles G. Wohlrab on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-12N cwohrlab@logs.com, njbankruptcynotifications@logs.com
David Fornal on behalf of Creditor JPMorgan Chase Bank, N.A. dfornal@maselliwarren.com
David L. Stevens on behalf of Joint Debtor Maha Adileh dstevens@scuramealey.com, cbalala@scuramealey.com/ecfbkfilings@scuramealey.com/dsklar@scuramealey.com/ascolavino@scuramealey.com/dmedina@scura.com
David L. Stevens on behalf of Debtor Suleiman Adileh dstevens@scuramealey.com, cbalala@scuramealey.com/ecfbkfilings@scuramealey.com/dsklar@scuramealey.com/ascolavino@scuramealey.com/dmedina@scura.com
Denise E. Carlon on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-12N dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Francesca Ann Arcure on behalf of Creditor NATIONSTAR MORTGAGE, LLC nj_ecf_notices@buckleymadole.com
Francesca Ann Arcure on behalf of Creditor Nationstar Mortgage LLC as servicer for U.S. Bank, National Association, as Trustee for the certificateholders of the LXS 2006-12N Trust Fund nj_ecf_notices@buckleymadole.com
Francesca Ann Arcure on behalf of Creditor Nationstar Mortgage LLC, as servicer for U.S. Bank, National Association, as Trustee for the certificateholders of the LXS 2006-12N Trust Fund nj_ecf_notices@buckleymadole.com
Justin Plean on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-12N bkyecf@rasflaw.com, bkyecf@rasflaw.com/ras@ecf.courtdrive.com
Marie-Ann Greenberg magecf@magtrustee.com
William M.E. Powers on behalf of Creditor Bank of America, N.A. ecf@powerskirn.com
TOTAL: 12